

CT
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R 33. (New) The system for providing the protecting tube of claim 23, wherein the protecting tube further includes an impregnated resin.

IN THE ABSTRACT

Please replace the Abstract with the Substitute Abstract of the Disclosure shown in the Appendix.

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-11 were pending in the application, of which Claims 1 and 2 were independent. In the Office Action dated October 4, 2002, Claims 1-11 were rejected under 35 U.S.C. §112, Claims 1, 2, 9, and 11 were rejected under 35 U.S.C. §102(b), and Claims 3, 6, and 7 were rejected under 35 U.S.C. §103(a). Claims 4, 5, and 8 were objected to, but were deemed allowable if rewritten: 1) to overcome the 35 U.S.C. §112 rejection; and 2) in independent form including all the limitations of the base claim and any intervening claims. In addition, the specification and Claim 10 were objected to. Following this response, Claims 12-33 remain in this application.

I. Objection to the Specification

In the Office Action dated October 4, 2002, the Examiner objected to the specification stating that the term "weaving" used throughout the specification is

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

confusing since the article is a knitted article not a woven article. Applicants respectfully traverse this objection because the term weaving is not used conventionally in the specification, rather it is used generally to at least mean creating an element by stitching yarn. For example, the specification states that the first and second yarns are weaved with each other by means of tricot stitches. (See Spec. page 5, lines 32-34.) Therefore, Applicants submit that this objection should be withdrawn.

II. New Claims

Claims 12-33 have been added to more distinctly define the invention to which Applicants are entitled. Claims 12-33 are patentably distinguishable over the cited art at least in that they recite, for example, a Raschel-type warp knitting machine. In contrast, U.S. Patent No. 4,781,039 ("Ribarev") at least does not disclose or suggest a Raschel-type warp knitting machine. Accordingly, Applicants respectfully submit that these new claims are allowable over the cited art and that they add no new matter.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the

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HENDERSON
FARABOW
GARRETT &
DUNNER LLP

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Washington, DC 20005
202.408.4000
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www.finnegan.com

preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

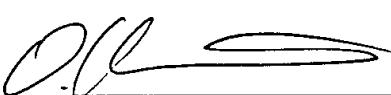
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 19, 2002

By:


D. Kent Stier
Reg. No. 50,640
(404) 653-6559

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

APPENDIX

IN THE TITLE:

Please delete the title as filed [UTILISATION OF A WARP KNITTING MACHINE FOR THE MANUFACTURING OF OPEN OR CLOSED TUBES FOR PROTECTING CABLES, CONDUITS AND THE LIKE, AND PROTECTING TUBE MANUFACTURED WITH SAID MACHINE] and replace it with the following substitute title: METHODS AND SYSTEMS FOR PROVIDING A PROTECTING TUBE.

IN THE ABSTRACT

Please replace the Abstract with the Substitute Abstract of the Disclosure shown below.

Substitute Abstract of the Disclosure

Providing a protecting tube includes knitting a plurality of yarns to form the protecting tube using a Raschel-type warp knitting machine, the protecting tube being one of open and closed and configured to contain at least one of a cable and a conduit. In addition, providing the protecting tube may further include using at least one of the following type stitches: tricot, tuch, samt, satin, atlas, köper, laying in, and chain. The protecting tube may be configured to contain a cable or a conduit.

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HENDERSON
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GARRETT &
DUNNER LLP

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